

**THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF ARKANSAS
CENTRAL DIVISION**

**VOLVO FINANCIAL SERVICES,
a division of VFS US, LLC**

PLAINTIFF

v.

Case No. 4:18-cv-00280-KGB

RICHARD LONG

DEFENDANT

ORDER

This is a breach-of-contract action. Presently before the Court is the supplemental motion for entry of default judgment filed by plaintiff Volvo Financial Services, a division of VFS US, LLC (“Volvo”) (Dkt. No. 18). The relevant procedural history is as follows. On April 27, 2018, Volvo filed a complaint against defendant Richard Long, asserting a single claim for breach of contract (Dkt. No. 1). On December 19, 2018, Volvo filed a motion for default judgment, which the Court construed as a motion for entry of default and referred to the Clerk of Court for consideration (Dkt. Nos. 8, 11). On September 17, 2019, Volvo filed a supplement to its motion for entry of default, which the Court referred to the Clerk to determine if entry of default was appropriate (Dkt. Nos. 12, 13). A Clerk’s default was entered on September 30, 2019 (Dkt. No. 14).

On September 30, 2019, Volvo filed a motion for default judgment against Mr. Long, which the Court granted on March 6, 2020 (Dkt. Nos. 15, 17). In its March 6, 2020, Order, the Court found that the allegations in the complaint and the exhibits attached thereto, together with the affidavit of Phil Bain, a senior recovery analyst for Volvo, establish that Mr. Long is indebted to Volvo in the principal amount of \$245,753.98, plus accrued interest and reasonable attorneys’ fees and costs in connection with this action (Dkt. No. 17, at 4). The Court then stated that, when it enters default judgment in this case, it intends to award Volvo \$245,753.98, plus pre-judgment

interest at the rate of 17% per annum and reasonable attorneys' fees and costs, with the precise sums of pre-judgment interest, fees, and costs to be calculated at a later date (*Id.*, at 7). The Court directed Volvo to file within 30 days a supplement to its motion for default judgment that supplies the Court with specific and detailed evidence from which it can calculate the amount of pre-judgment interest and attorneys' fees and costs owed to it (*Id.*, at 6–7).

In the instant motion, Volvo states that it “does not wish to pursue pre-judgment interest or attorneys' fees and costs.” (Dkt. No. 18, ¶ 4). Accordingly, the Court grants Volvo's supplemental motion for entry of default judgment and will enter judgment in the amount of \$245,753.98.

It is so ordered this 29th day of April, 2020.



Kristine G. Baker
United States District Judge